

HAMILTON COUNTY BOARD OF COMMISSIONERS
DECEMBER 2, 2005

The Hamilton County Board of Commissioners met on Friday, December 2, 2005 at 7:30 a.m. at the Hamilton County Highway Department, 1700 S. 10th Street, Noblesville, Indiana. President Altman called the meeting to order and declared a quorum present of Commissioner Christine Altman and Commissioner Steven A. Holt. Commission Steven C. Dillinger was absent.

Utility Agreements

Discussion of the amendments to Hamilton County’s Utility Agreements was held. Mr. Don Perdue, Vectren, listed the following concerns:

- Work to commence within 14 days of Notice to Proceed. Vectren has never received a formal Notice to Proceed from Hamilton County. Utilities won’t know when their 14 days start. Can not use the contractor’s Notice to Proceed date as utilities have to be relocated before contractor can proceed.
- There is a coordination issue with other utilities if Notice to Proceed is the same date for all of the utilities. Who would coordinate the utilities?
- Will there be an extension given if other utilities are the reason for the delay.
- Notice of seven days for an extension may not be possible. Utility may not know if they need the delay seven days prior. What are penalties if the seven day notice is missed? Is a shortage of supplies a reason for an extension? Will the utilities have input into the extension? Is there any recourse if the utility knows they can not meet the extension? How long will it take to get the extension approved? Penalties will need to be known up-front.

Altman - all of these issues can be dealt with. Holt - agreement does need penalty section.

- Ms. Cindy Rowland, Cinergy, had the following issues with the agreement:
- According to Cinergy attorney’s paragraph #8 is unreasonable and subject to IURC Regulations. Amendment is inconsistent. Would like to use INDOT regulations for utility agreements.
- Going from overhead lines to underground for esthetics for a local agency is an issue. It requires design work.
- What happens in case of a labor dispute and there is a strike.
- Weather delays are an issue. Will there be penalties for such a delay?
- 146th Street Extension is a county/city project. She is dealing with two (2) engineering firms. She has the plans for the county portions of the project, does not have city’s portion. Needs both before she can design the utility work.
- Start date may not be realistic. Some projects are hot at the time of Notice to Proceed, but then get delayed for various reasons.
- Cinergy runs into issues with grading.

It would help the utilities if the county would prioritize projects.

The utility companies will meet and come back with recommendations by the end of January, 2006. Joel Thurman stated it was helpful when the Special Provision Sheet was attached to the utility agreements.

Commissioners agreed to default back to the original Utility Agreement for the 146th Street Extension project.

Meeting adjourned.

Present

- Christine Altman, Commissioner
- Steven A. Holt, Commissioner
- Fred Swift, Administrative Assistant to Commissioners
- Robin M. Mills, Auditor
- Kim Rauch, Administrative Assistant to Auditor
- Brad Davis, Highway Director
- Jim Neal, Highway Engineer
- Joel Thurman, Highway Project Engineer
- Mike McBride, Highway Technical Engineer
- Don Perdue, Vectren
- Cindy Rowland, Cinergy
- Tom Glithero, Area Manager - Indiana Design Engineering and CMC’s

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor